

University of Oklahoma College of Law University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

2-24-1896

David S. Gordon.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 492, 54th Cong., 1st Sess. (1896)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

DAVID S. GORDON.

FEBRUARY 24, 1896.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. TARSNEY, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany H. R. 1567.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 1567) for the relief of David S. Gordon, submit the following report:

Col. David Stewart Gordon is the colonel of the Sixth United States Cavalry Regiment and the present commander of Fort Myer. He was born near Greencastle, Franklin County, Pa., May 23, 1832. He was educated in public schools of his native county.

In 1857 he moved to Leavenworth, Kans., and at the breaking out of the late war was engaged in business in said city. When it became evident that the South would rebel against the United States Government and that the capital of the nation needed protection he hurried on to Washington City, entered the ranks of a company organized for the defense of the capital and the protection of President Abraham Lincoln by Senator James H. Lane, of Kansas, known as the Frontier Guard, and was elected first sergeant. The company numbered about 150 men. As first sergeant of said company he was assigned to duty in the Executive Mansion, for the protection of the White House and President Lincoln.

The company was quartered in the East Room, the most luxurious quarters which the American soldier ever enjoyed. Of this famous organization a recent writer in the Century for April, 1888, says:

These men came forward to shoulder a musket without enlistment, commission, paymaster, or commissariat, and the time the danger had become so threatening that any scrap or show of military force was welcome and useful in the city of Washington.

His discharge from said organization is dated "East Room, Executive Mansion, Washington, D. C., April 10, 1861," and so far as known is the only officer in the Army who served in said organization.

Following is a copy of orders mustering out said company, and Sergeant Gordon's discharge.

UNITED STATES OF AMERICA.

HEADQUARTERS FRONTIER GUARD,
Washington City, April 27, 1861.

SIR: In consequence of the arrival of large numbers of troops in this city I am satisfied the emergency has ceased that called our company into service.

If you concur in this opinion I should be pleased to receive authority from you to disband said company and to honorably discharge the members thereof from the service.

Very truly,

J. H. LANE, *Captain Commanding.*

Hon. S. CAMERON, *Secretary of War.*

WAR DEPARTMENT, *April 27, 1861.*

SIR: In reply to your letter of this day's date, stating that, in consequence of the arrival of large numbers of troops in this city, the emergency has ceased which called the company commanded by you into service, and that you would be pleased therefore to have authority to disband your company and have an honorable discharge from service for it.

Concurring fully with you, I readily grant you the authority asked for, and in doing so, I beg to extend to you, and through you to the men under your command the assurance of my high appreciation of the very prompt and patriotic manner in which your company was organized for the defense of the capital, and the very efficient services rendered by it during the time of its existence.

Very respectfully,

SIMON CAMERON.

Gen. JAMES H. LANE.

Cheerfully approved.

A. LINCOLN.

By authority vested in me as captain of the Frontier Guard, I, James H. Lane, do hereby certify that David S. Gordon, first sergeant of said company, served his country in defense of the national capital at a time of great peril, when threatened by hordes of traitors, said service commencing on the 18th of April, 1861, and ending on the date hereof

I also, by virtue of said authority, do hereby honorably discharge the said David S. Gordon from the service of the United States.

Given under my hand at the East Room of the Executive Mansion at Washington City this 3d day of May, 1861.

J. H. LANE, *Captain.*

Attest:

Q. B. STOCKTON, *Second Lieutenant.*

M. W. DELAHAY, *First Lieutenant.*

On April 26, 1861, he received his commission as second lieutenant Second Dragoons, and reported for duty with Troop B, Second Cavalry, at Rucker Barracks, Washington, D. C. His captain, Charles Field, late Doorkeeper of the House of Representatives, shortly afterwards tendered his resignation and went South, and the young lieutenant succeeded to the command of the troop until the arrival of First Lieut. C. H. Tompkins, now General Tompkins, Quartermaster's Department, retired. The duties of his command consisted of drill and guarding public buildings in Washington, until the commencement of actual field service, when his company, with another troop, were ordered on the south side to destroy the Leesburg and Alexandria bridges, etc., which was effectually accomplished, and, in addition, the troop captured a passenger train containing quite a number of young Confederate soldiers. On the 31st of May his company was ordered to reconnoiter the vicinity of Fairfax Court-House to ascertain the character and strength of the opposing force and the whereabouts of a notorious politician by the name of "Extra Billy Smith," ex-Member of Congress of that district. The little command, under Lieutenants Tompkins and Gordon, met the Confederate pickets about 2 miles from Fairfax Court-House, charged into the streets of the town, exchanging shots at every jump with the enemy, who occupied almost every building, until they met Captain Marr's Warrenton Rifles and the "Black Horse Cavalry," which was also routed.

The Confederate troops were driven in the utmost confusion on the old Centerville road and Captain Marr was killed. Lieutenants Tompkins and Gordon both had their horses shot under them, dropping Gordon in a pile of agricultural implements, knocking out two teeth.

In the official report of this skirmish, which is really credited as having been the first pitched battle between the Confederates and our

troops of the late rebellion, Colonel Gordon was honorably mentioned for valuable and efficient service rendered. A few days after this skirmish Colonel Gordon was ordered to report to Gen. E. D. Keyes, United States Army, as aid-de-camp. This brigade formed a part of Tyler's division.

After performing routine duties for a few weeks, his brigade participated in a skirmish on the 18th of July, and also in the battle of Bull Run, July 21, 1861. On this occasion Gordon again had his horse killed under him, which led to his capture, and he spent thirteen months in the bastiles of the South.

Among his fellow-prisoners were Generals Wilcox, Cochran, Vodges, and others. The following is an extract from General Keyes's official report, in which he mentioned him as follows:

Lieutenant Gordon, Second Dragoons, my aid, was with me throughout the entire day, and rendered gallant and efficient aid, and I saw him for the last time 2 miles this side of Bull Run, upon the retreat, and I trust he may yet be found.

After his exchange he reported to the Adjutant-General in Washington, and was granted ten days' leave to visit his family, at the expiration of which he was ordered to Annapolis, Md., as inspector of the parole camp, which duty he performed for several months, but, preferring active field service, he rejoined his regiment and participated in the battle of Fredericksburg.

From this time on he served with his regiment during the entire war, and was engaged in many bloody conflicts. For the Gettysburg campaign he was brevetted major for gallant and meritorious service.

At the close of the war his regiment was ordered to Fort Leavenworth, Kans., and reported to General Dodge, United States Volunteers, for duty, and, although only a captain, he had the pleasure of commanding it off and on for two years during the rebellion. In October, 1866, his troop, D, Second Cavalry, was ordered to Fort Lyons, Colo. From thence his command went to Fort Laramie, Wyo., and immediately after the massacre of Lieutenant Fetterman, was ordered to Fort Phil Kearny, where his troop remained until 1868, since which time he has served at Fort D. A. Russell, Forts Stambough, Bridger, Douglas, Steele, Sanders, Custer, Ellis, and many other noted frontier posts. In 1877 he received his promotion as major of the Second Cavalry, and was ordered with it to Omaha during the riots there in 1877.

It is safe to assert that there is scarcely a stream of water on the east slope of the Rockies, from the Arkansas River to the forty-ninth parallel, that he has not camped on while fighting the various tribes of Indians, protecting the settlers, and performing escort duty from Mexico to the British line. No officer has a better record (few as good) or greater reason to be proud of his frontier service. The following extract from a letter written to Colonel Gordon by Maj. Gen. J. E. Smith, dated March 3, 1886, will show how his services were appreciated by his superior officers:

I refer briefly to the trials and privations endured at military posts only twenty years ago, when our only surroundings were hostile Indians and howling wolves. You doubtless remember that the garrison at Fort Phil Kearney was actually in a state of siege, having the terrible massacre of December, 1866, before them, they dared not to show themselves outside the stockade. The few families there suffered all the torture of mental agony. I was much indebted to you for your assistance in restoring confidence to the beleaguered garrison by your example and energy. If some cavalry officers whom you may remember, now claiming high honors, had been imbued with your spirit and energy, many of the disasters on the road would have been averted.

Colonel Gordon was again on February 27, 1890, brevetted lieutenant-

colonel for gallant services in action against Indians at Miners Delight, Wyo., March 4, 1870.

In 1884, while in command of Fort Ellis, Mont., his regiment was transferred to the Pacific Coast, and has since served at Fort Walla Walla, Presidio, and Arizona.

One of the most remarkable if not unprecedented incidents in the military career of Colonel Gordon is his promotions and thirty-two years' continuous and active service in the same regiment, the Second United States Cavalry. On 26th of April, 1861, he was appointed second lieutenant; on August 3, 1861, first lieutenant; on April 25, 1863, captain; June 25, 1877, major, and on November 20, 1889, lieutenant-colonel.

On 28th of July, 1892, he was promoted to colonel and placed in command of the Sixth United States Cavalry and has been on duty with it ever since, participating in putting down the Chicago riots in 1894.

After thirty-five years of hard, continuous, and dangerous service (including the war of the rebellion), twenty-nine years of which was spent on the frontier without an eastern detail, he will, by operation of existing law, be placed on the retired list May 23, 1896.

That this gallant and faithful officer has well earned the promotion (one grade) the bill gives him can not be questioned. Your committee therefore report the bill back to the House and recommend the passage of the same.

Your committee attach to their report a statement of the military service of Colonel Gordon, and ask that it be printed as an appendix to the report.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, February 1, 1896.

Statement of the military service of David S. Gordon, of the United States Army, compiled from the records of this office.

Second lieutenant, Second Dragoons, April 26, 1861; first lieutenant, June 1, 1861 (Second Cavalry, August 3, 1861); captain, April 25, 1863; major, June 25, 1877; lieutenant-colonel Second Cavalry, November 20, 1889; colonel Sixth Cavalry, July 28, 1892.

Brevet major, July 3, 1863, for gallant and meritorious services in the Gettysburg campaign, and lieutenant-colonel, February 27, 1890, for gallant services in action against Indians at Miners Delight, Wyo., March 4, 1870.

SERVICE.

Frontier Guard, as the record herein appended will show:

He joined his regiment May 13, 1861, and served with it at Washington, D. C., to July 1, 1861; aide-de-camp to General Keyes until taken prisoner at the battle of Bull Run, Virginia, July 21, 1861. Prisoner of war to August, 1862, and on parole until exchanged September 30, 1862.

He rejoined his regiment October 21, 1862, and served with it in the Army of the Potomac to December 28, 1862, being engaged in the battle of Fredericksburg, Va.; on leave December 28, 1862, to January 23, 1863; on duty at Headquarters Middle Department, Baltimore, Md., to July 5, 1863; with regiment in the Army of the Potomac to August 9, 1861, being engaged in the following actions: Brandy Station, Va., August 1 to 4, 1863; Rappahannock Station, August 5, 1863; Culpeper and Muddy Run, November 8, 1863; Mine Run campaign, November 26 to December 2, 1863; the Wilderness, May 5 to 7, 1864; Todd's Tavern, May 7 and 8, 1864; Sheridan's expedition from Todd's Tavern, May 9 to 12, 1864; Yellow Tavern, May 11, 1864; Meadow Bridge, May 12, 1864; Haw's Shop, May 27 and 28, 1864; Old Church, May 30, 1864; Cold Harbor, May 31 and June 1, 1864; Trevillian Station, June 11 to 13, 1864, and Deep Bottom, July 27-29, 1864.

On sick leave August 9 to September 29, 1864; on mustering and disbursing duty and on recruiting service to January, 1865.

With regiment in the Shenandoah Valley and in Maryland to October, 1865; on frontier duty in Colorado and Kansas to October, 1866, and in Dakota to July 10,

1868, having been engaged in action with the hostile Sioux Indians near Fort Phil Kearney, Dak., June 12 and 18, 1867, and Shell Creek, Dakota, October 26 and November 29, 1867.

On leave July 10 to October 27, 1868; with regiment on frontier duty in Wyoming and Utah to June 14, 1876, being engaged with Indians at Popoagie, Wyoming, September 14, 1869, and at Miners Delight, Wyo., May 4, 1870; on leave June 14 to August 19, 1876; on recruiting service to January 22, 1877; with regiment in Wyoming to July 26, 1877; in Montana (on Bannack expedition, August 31 to September 23, 1877, and in the campaign against the Sioux Indians, June 26 to August 31, 1879) to August 23, 1880, having been engaged in actions with hostile Indians at Milk River, Montana, July 17, 1879, and near Poplar Creek, Montana, August 14, 1879; on detached duty at St. Paul, Minn., August 23 to November 26, 1880; on leave to May 5, 1881; member of board inspecting horses to September 1, 1881; commanding Fort Ellis, Mont., to June 3, 1884; with regiment en route to and at Presidio of San Francisco, Cal., to June 19, 1886; commanding Fort Bidwell, Cal. (on sick and ordinary leave October 10, 1888, to April 10, 1889), to May 22, 1890; Fort Huachuca, Ariz., to August 25, 1892; commanding regiment and post of Fort Niobrara, Nebr., October 5, 1892, to July 8, 1894.

Commanding cavalry forces in the Chicago labor strikes to August 4, 1894, and at Evanston and Fort Sheridan, Ill., to October 1, 1894, and since that date commanding his regiment and post of Fort Myer, Va.

GEO. D. RUGGLES, *Adjutant General.*



DAVID S. GORDON.

FEBRUARY 27, 1896.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. PARKER, from the Committee on Military Affairs, submitted the following as the

VIEWS OF THE MINORITY:

[To accompany H. R. 1567.]

A minority of the Committee on Military Affairs, to whom was referred the bill (H. R. 1567) entitled "A bill for the relief of David S. Gordon," submit the following report, giving some of the reasons why they can not concur in the views of the majority or recommend the passage of this bill.

This is a bill for the relief of Col. David S. Gordon, colonel of cavalry. On account of his gallant services beginning as a veteran in the civil war and from the fact that he is soon to be retired by age, it is proposed by the bill that he should be retired as a brigadier-general.

We have nothing but praise for Colonel Gordon, and admiration for his record. But when we consider the great number of gallant and deserving officers now in the Army who have served during the civil war, the small rank to which many of them have attained, the difficulty, and indeed the impossibility of making a proper comparison between the character of their services and the ungracious nature of such a comparison if it could be made, as well as the dangers to the service of all special legislation of this class, we can not concur in the recommendation of the majority.

Some of the committee, in view of the strong claims that these veteran officers have on the gratitude of the nation, recommend a substitute in the form of a general bill as hereto annexed, providing that retired veterans shall have the rank and retired pay of the rank next above that last held in active service.

This course, however, involves an expense to the Government that others of the committee are not now willing to advise.

The original bill introduced has had the effect of calling our attention to the large number of officers, both retired and active, who served during the civil war, many of whom were taken into the Regular Army from the volunteers, because of their gallantry and merits. The record of the service of Colonel Gordon, produced from the War Department, shows the arduous character of the service, which has no doubt been performed by many. To obtain like detailed records as to each of these officers would be absolutely impossible. It suffices to say that of the 71 colonels, appearing in the Army Register (page 266), only one, a staff officer, did not serve in the war. The same is true of the 91 lieutenant-colonels. Of the 209 majors, 150 served in the civil war, including all officers of the line except one each in cavalry and infantry, the other

exceptions being staff appointments. There are 29 veteran captains in the staff, 32 in the 10 regiments of cavalry, 36 in the 5 regiments of artillery, and 127 in the 25 regiments of infantry, all of whom likewise served in the war. No less than 11 war veterans are still first lieutenants in the artillery and 4 in the infantry. Of the higher grades, about half were volunteers in the war. Of the captains and lieutenants, almost all were taken for their merit from the volunteer regiments of the Army, the few exceptions being in the artillery, where the promotion appears to have been slower than in the other branches.

It is impossible to think without emotion that veterans of the war, after forty years' service, should be still captains, or lieutenants, who, after years of danger and hardship, constant devotion to the service of their country, and many of them with honorable wounds, should be retired for age at the small pay that is received by retired officers of that grade. We must presume that such retirement will soon take place in all these cases. No man could have been of age for service during the civil war, which began thirty-five years ago, without being now of an age which would render his retirement compulsory within the next few years.

If general legislation, as suggested by some of us, be adopted, it would make no immediate change in the amount to be appropriated for retired officers' pay so far as regards officers still in active service. But it would make a change when they shall be retired.

The active and retired pay per month is as follows:

[Army Register, p. 344.]

Pank.	Active.	Retired.
Colonel.....	\$375.00	\$281.25
Lieutenant-colonel.....	333.33	250.00
Major.....	291.67	218.75
Captain, mounted.....	233.33	175.00
Captain, not mounted.....	210.00	157.50
First lieutenant, mounted.....	186.67	140.00
First lieutenant, not mounted.....	175.00	131.25
Second lieutenant, mounted.....	175.00	131.25
Second lieutenant, not mounted.....	163.33	122.50
Chaplain.....	175.00	157.50

It will be seen that retired officers receive three-fourths of their active pay, but without the allowances that they receive in the service. If such substitute should be adopted they would receive on an average about seven-eighths of their last active pay, and the retirement of all officers who served in the late war is likely to take place within the next ten or fifteen years.

Among such a large number of officers, many promoted from the Volunteer Army, it would be probably invidious, and certainly impossible, to make any distinction as the quality of their services. All have done their duty as it has fallen to their lot. Those who have been in the regiments which have been the most active in service have likewise had the most active promotion, as the men who are unable to stand hardship have fallen out and retired.

The indisposition of Congress to legislate specially in this class of cases is shown by the fact (Army Register, p. 243) that the only officers now appearing in the list who were retired by special acts of Congress, embrace 2 brigadier-generals, 3 colonels, 3 majors, 7 captains, and 2 first lieutenants. The acts date from 1878 to 1894. One of these bills was debated several sessions.

But the officers that have been retired already under the general acts of Congress seem to have the same equity to increased rank and pay, so far as they have served in the war. The "limited list" of the Army Register (p. 177, etc.) shows 16 colonels and 16 lieutenant-colonels, all of whom were in the war, and 29 majors, 21 of whom were in the war. Of the captains, 152 were in the war; of the first lieutenants, 57, and of the second lieutenants, 6. Almost all were retired for disabilities or wounds in line of duty or after over thirty years' service. In the "unlimited list" (some of whom were transferred from the previous list) are 76 colonels and 21 lieutenant-colonels, all of whom served in the civil war; 48 of the majors also served, 62 captains; 10 first lieutenants, and 2 regimental chaplains. Some few of these were retired with the advanced grade to which they were entitled by reason of seniority, but which they were unable to take in active service by reason of not being able to pass the physical examination. (Supplement to the Revised Statutes, third proviso, p. 812.) These officers were largely in the Volunteer Army. Sometimes they appear to have been young men, full of the gallantry of youth and military fervor; sometimes they were older men, too old to start anew in life, who had held high rank in the volunteers, but preferred to take a lesser place in the Army of their country. The larger proportion, as will be seen, are captains, receiving a pay of about \$2,200 a year each.

It appears to us that no discrimination can be made between these gallant men. Their cases can not come generally before Congress. By regulation 5 of the Army:

Efforts to influence legislation affecting the Army, or to procure personal favor or consideration should never be made except through the regular military channels, and the adoption of any other method will be noted in the military record of those concerned.

Neither the committee nor the House have the time or the proper facilities to institute a searching and careful investigation of all these cases and to select those which are the most deserving. Special bills for that purpose are likely to come before the committee only when the friends of some particular officer take the matter in hand. We do not say that there are no special cases of mistake, or misapprehension, or extreme injustice done by the laws of promotion, where relief may not be afforded, but in these hundreds of cases of uniform good service and gallantry, each one of them with a war record, discrimination should not be attempted except by general law and general rules to be administered by the War Department; and if there be any difference to be made, it should seemingly be in favor of those whose wounds or infirmities contracted in the service render their retirement necessary, before they reach the highest grades.

Some of us, therefore, favor a general bill. The question to determine, in these days of economy, is whether the means can be spared to reward these brave men. The difference in pay per month, as will appear by the following table, will run from \$8.75, for a lieutenant, to \$62.50, for a colonel, but the increase will not be proportionate—a captain, not mounted, receiving a monthly increase of \$61.25, while the captain, mounted, will receive but \$33.75. This table, as well as the statements as to numbers already made, has been compiled as fairly as could be from the army list, but does not pretend to be absolutely accurate. But, as nearly as can be estimated, about \$265,000 might be expected to cover the increase in pay for the present retired list, and \$100,000 additional would probably cover the increase in pay of the officers within the year, and a present annual appropriation would, therefore, be needed of about \$365,000 if such a general act should pass.

While the veterans of the late war who are still in the service are likely within the next ten or fifteen years to be all placed upon the retired list, that list will be likewise diminished from time to time by the loss of many old comrades by death, and we are of the opinion that the amount named is not likely to be largely increased in any one year, and will soon diminish. It is for the House to determine whether the appropriation can be afforded and whether the measure is a wise one.

We do not concur on this point, but we agree in deprecating special legislation in so wide a field.

R. WAYNE PARKER.

M. GRIFFIN.

R. P. BISHOP.

D. G. TYLER.

GEO. B. McCLELLAN.

I concur in the above report in the Gordon case, but do not agree to the substitute.

JOSEPH E. WASHINGTON.

Table showing approximately the numbers on the present retired list, their present and proposed pay, and the increased appropriation requisite therefor.

Rank.	No.	Present monthly pay.	Proposed monthly pay.	Difference.	Total.
Colonel.....	92	\$281. 25	\$343. 75	\$62. 50	\$5, 650. 00
Lieutenant-colonel	37	250. 00	281. 25	31. 25	1, 156. 25
Major.....	77	218. 75	250. 00	31. 25	2, 406. 25
Captain, mounted	214	175. 00	218. 75	33. 75	*10, 700. 00
Captain, not mounted.....		157. 50	218. 75	61. 25	
First lieutenant, mounted.....	67	140. 00	175. 00	35. 00	†2, 010. 00
First lieutenant, not mounted.....		131. 25	157. 50	26. 25	
Second lieutenant, mounted.....	6	131. 25	140. 00	8. 75	52. 50
Second lieutenant, not mounted.....		122. 50	131. 25	8. 75	
Chaplain.....	2	157. 50	218. 75	61. 25	122. 50
Total additional pay for present retired list per month.....					22, 097. 50
Total additional pay for present retired list per year.....					265, 170. 00

* Averaged at \$50 monthly, being mostly unmounted.

† Averaged at \$30 monthly, being mostly unmounted.

‡ Some chaplains have been included with captains.

SUBSTITUTE RECOMMENDED BY PART OF THE MINORITY.

A BILL to define the grade of certain retired officers of the Regular Army, and for other purposes.

Be it enacted, etc., That all officers of the Regular Army not above the rank of colonel, who were in the Regular or Volunteer Army of the United States otherwise than as cadets at the Military Academy between April twelfth, eighteen hundred and sixty-one, and April ninth, eighteen hundred and sixty-five, and have been heretofore, or shall be hereafter, placed upon the retired list under any general statute, shall, while so retired on and after the first day of July, eighteen hundred and ninety-six, have the rank and retired pay of the grade or rank next above the grade or rank last held by them respectively in the active list of the Regular Army.

SEC. 2. That for the purpose of carrying out the foregoing provision the sum of three hundred and sixty-five thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven.